

December 26, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: Readhead et al.  
Serial No. 09/292,723  
Filed: April 15, 1999  
For: TRANSFECTION, STORAGE AND TRANSFER OF MALE  
GERM CELLS FOR GENERATION OF TRANSGENIC  
STEM CELLS  
Examiner: WOITACH, J. Unit: 1632

**TRANSMITTAL OF TERMINAL DISCLAIMER**

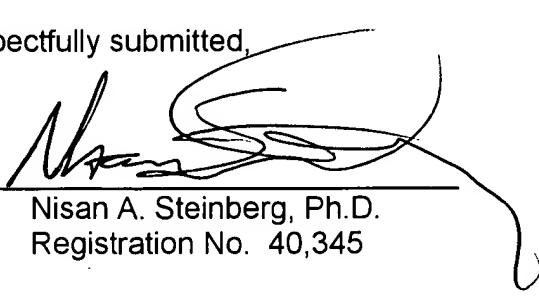
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Dear Sir or Madam:

Transmitted herewith is *Terminal Disclaimer To Obviate A Provisional Double Patenting Rejection Over A Pending Second Application*.

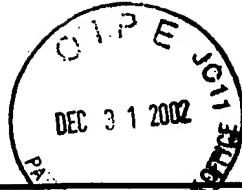
The Commissioner is hereby authorized to charge any fees required to Deposit Account No. 50-1597 concerning the submission of the enclosed terminal disclaimer.

Respectfully submitted,

By: 

Nisan A. Steinberg, Ph.D.  
Registration No. 40,345

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**TERMINAL DISCLAIMER TO OBViate A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION** Docket Number (Optional) **P07 41795 (18810-80334)**

**In re Application of: Readhead et al.**

Application No.: 09/297,723

Filed: April 15, 1999

## For: **Transfection, Storage and Transfer of Male Germ Cells for Generation of Transgenic Stem Cells**

\ The owner\*, Cedars-Sinai Medical Center, of entire interest in the instant application hereby disclaims, except as provided below, the terminal part or the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent second Application Number 09/272,443, filed on March 19, 1999, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record.

application or any patent issued thereon.



12/26/02

Signature Date

**Nisan A. Steinberg, Ph.D., Reg. # 40,345**

Typed or printed name

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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